IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTIETH DAY OF DECEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 26985 of 2005

Between:

Sri Krishna Enterprises,

Rep. by its Proprietor Kolli Venkata Rao,

..... PETITIONER

AND

Tobacco Board, Guntur,

Rep. by its Secretary, G .T Road, Guntur,

Guntur District and 2 others

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the action of the 1st respondent in not passing further orders on show cause notice, dated 16.09.2005 vide TB/VS/2005/AP/124/953 in spite of explanation submitted by the petitioner on 23.09.2005, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned standing counsel appearing for the respondents.

The petitioner submits that the 1st respondent has issued a notice dated 16.09.2005, calling upon the petitioner to submit explanation within two weeks, alleging that the petitioner has not purchased tobacco from the registered growers, and therefore, as to why appropriate action should not be taken against the petitioner for violation of Section 13(A) of the Tobacco Board Act, 1975. It is further stated that pursuant to the said notice, the petitioner submitted explanation on 23.09.2005, but the 1st respondent has not considered and disposed of the said explanation so far.

Having regard to the facts and circumstances of the case, the

1st respondent is directed to consider and dispose of the explanation submitted by the petitioner on 23.09.2005, if not already disposed of, in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

With the above observations, the Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

Dated: 20.12.2005

Dsr